

**ZB# 04-18**

**Seymour Borden**

**35-1-54.12**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

Granted 4-26-04

ZBA #04-18 SEYMOUR BORDEN (AREA)  
RT. 32 (CARPET MILL OUTLET) (35-1-54.12)

Seymour Borden 562-0234

OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: 1/30/04

APPLICANT: Seymour Borden  
C/O Carpet Mill Outlet  
294 Windsor Highway  
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Seymour Borden

LOCATED AT: 294 Windsor Highway

ZONE: C      Sec/ Blk/ Lot: 35-1-54.12

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18

1. Freestanding sign cannot exceed 64sqft and 15ft in height.
2. Wall sign cannot exceed 2ft6inx10ft.

**COPY**



BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: C      USE: A1

SIGN:

FREESTANDING:      64sqft      102sqft      38sqft

HEIGHT:      27ft      15ft      12ft

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:      9ftx42ft6in      2ft6inx10ft      6ft6inx32ft6in

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

APPROVED

04-18

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

DEC 02 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:  
Building Permit #: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises SEYMOUR BORDEN

Address 294 WINDSOR Hwy Phone # 562 0287

Mailing Address SAME Fax # 562 0293

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the WEST side of WINDSOR HUR  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y NO

3. Tax Map Description: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$50

Cash

**ZONING BOARD**

**PAID**

12 1 2 103  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

294 WINDSOR Hwy

2910 WINDSOR Hwy

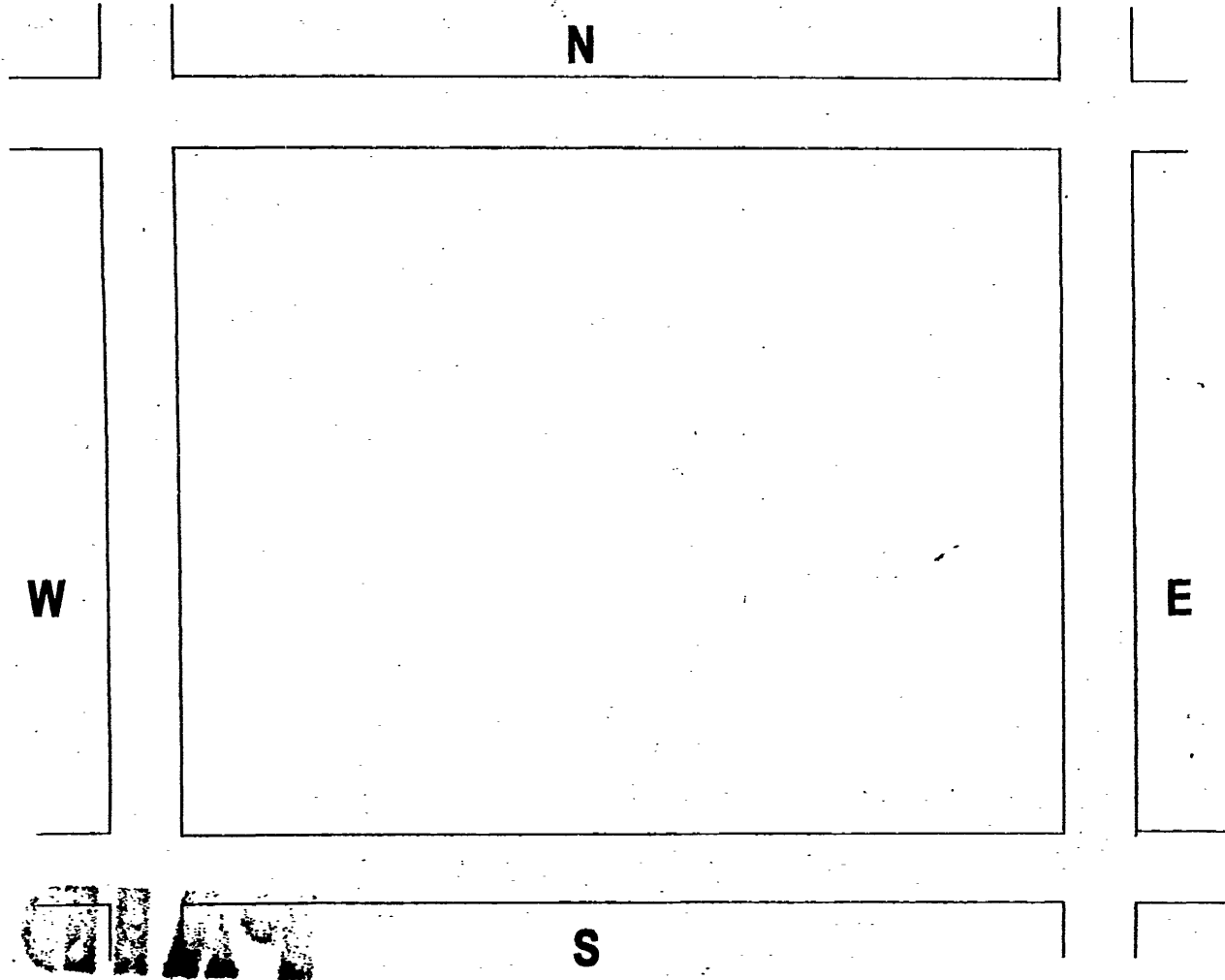


(Owner's Signature)

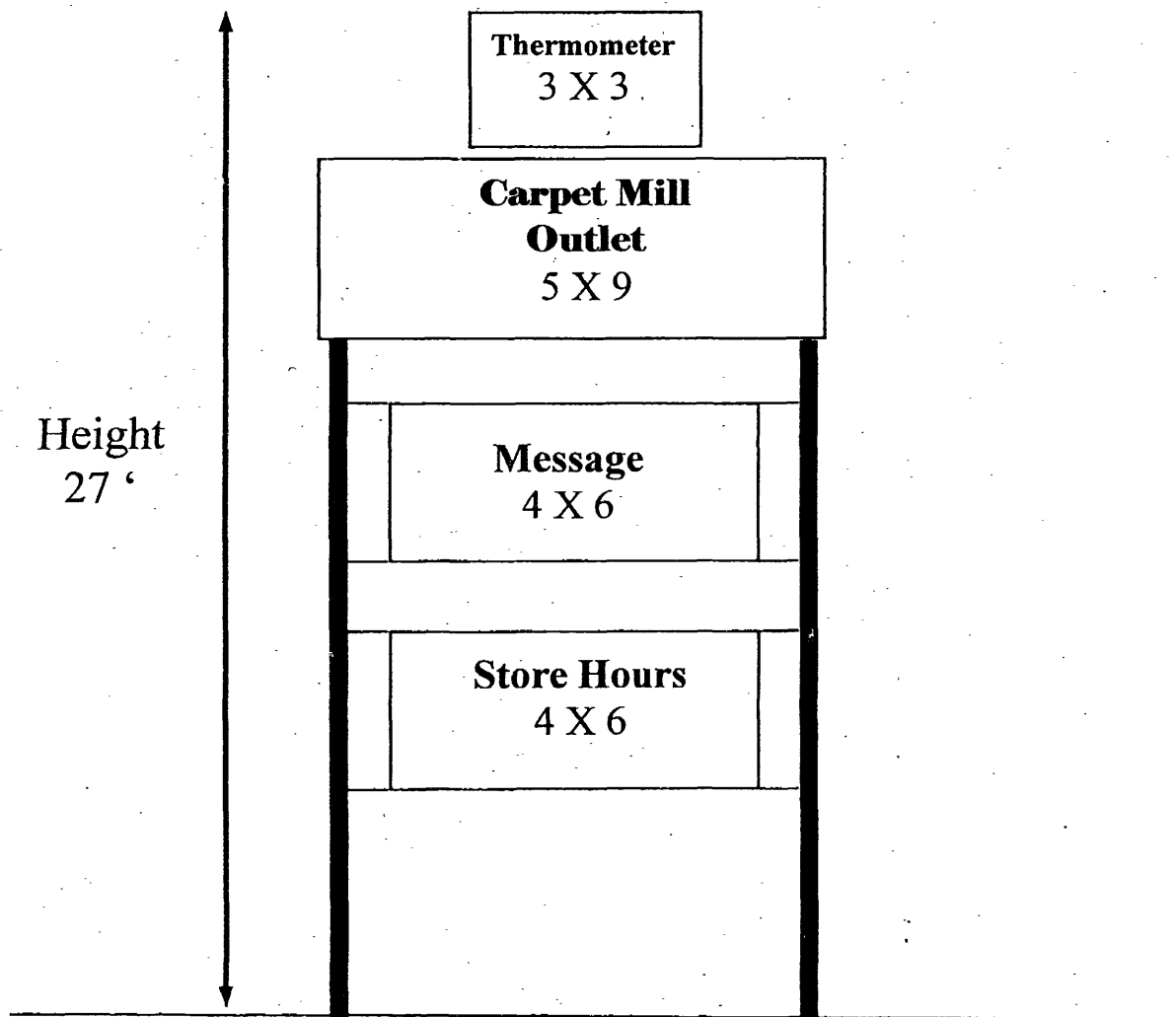
(Owner's Address)

# PLOT PLAN

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



CITY OF CHICAGO



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

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4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
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13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises SEYMOUR BORDEN

Address 294 WINDSOR HIGHWAY Phone # 562-0234

Mailing Address \_\_\_\_\_ Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N NO

3. Tax Map Description: Section 35 Block 1 Lot 54.12

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? WALL SIGN LEFT SIDE 9FT X 21FT  
RIGHT SIDE 9FT X 21FT 6"

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee 50

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
Pursuant to New York State Building Code and Town Ordinances

**Building Inspector: Michael L. Babcock**  
**Asst. Inspectors: Frank Liel & Louis Krychev**  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

  
(Signature of Applicant)

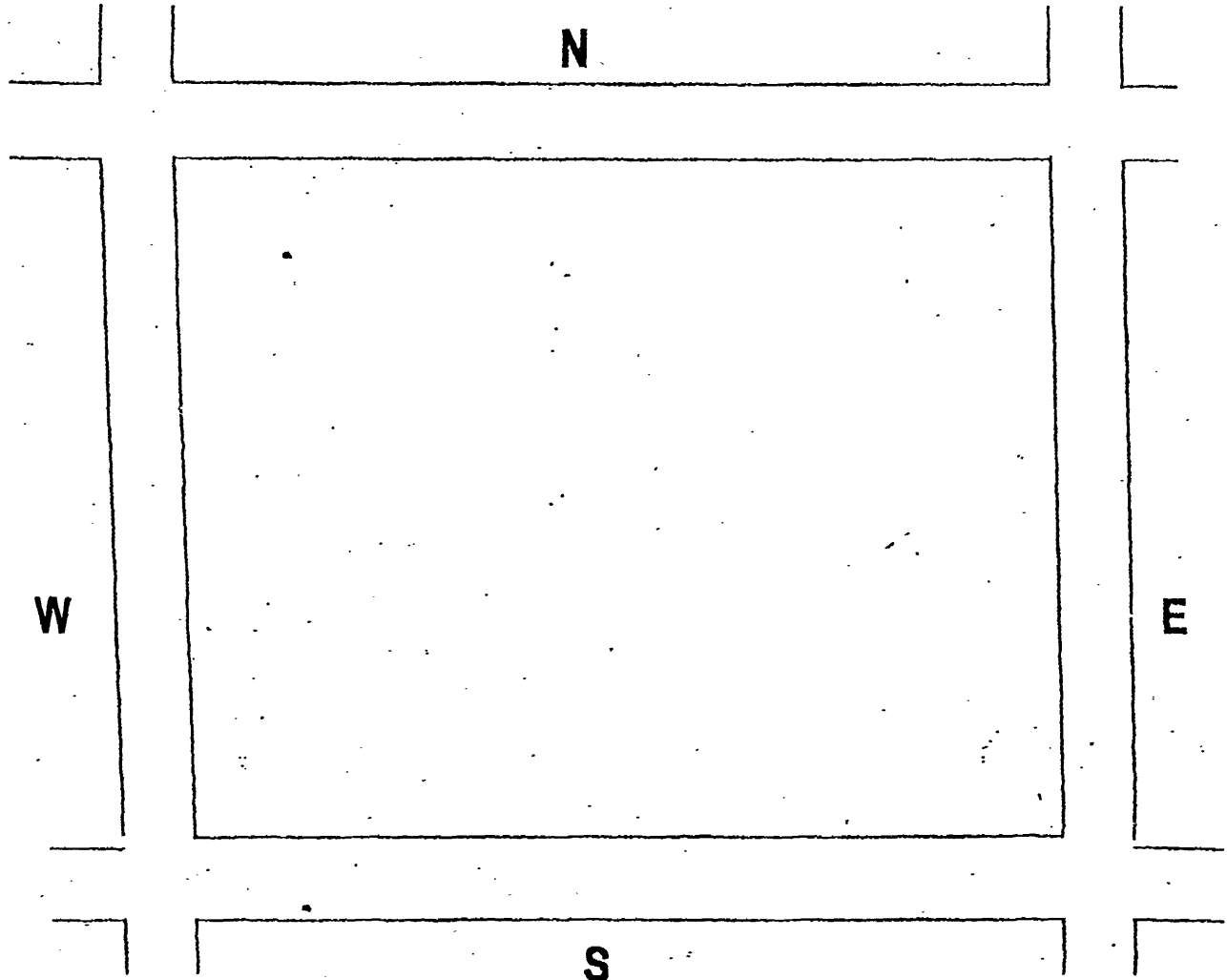
\_\_\_\_\_  
(Address of Applicant)

  
(Owner's Signature)

\_\_\_\_\_  
(Owner's Address)

# PLOT PLAN


**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



# Height and width of painted sign

Left side 9' x 21

Right side 9' x 21' 06"

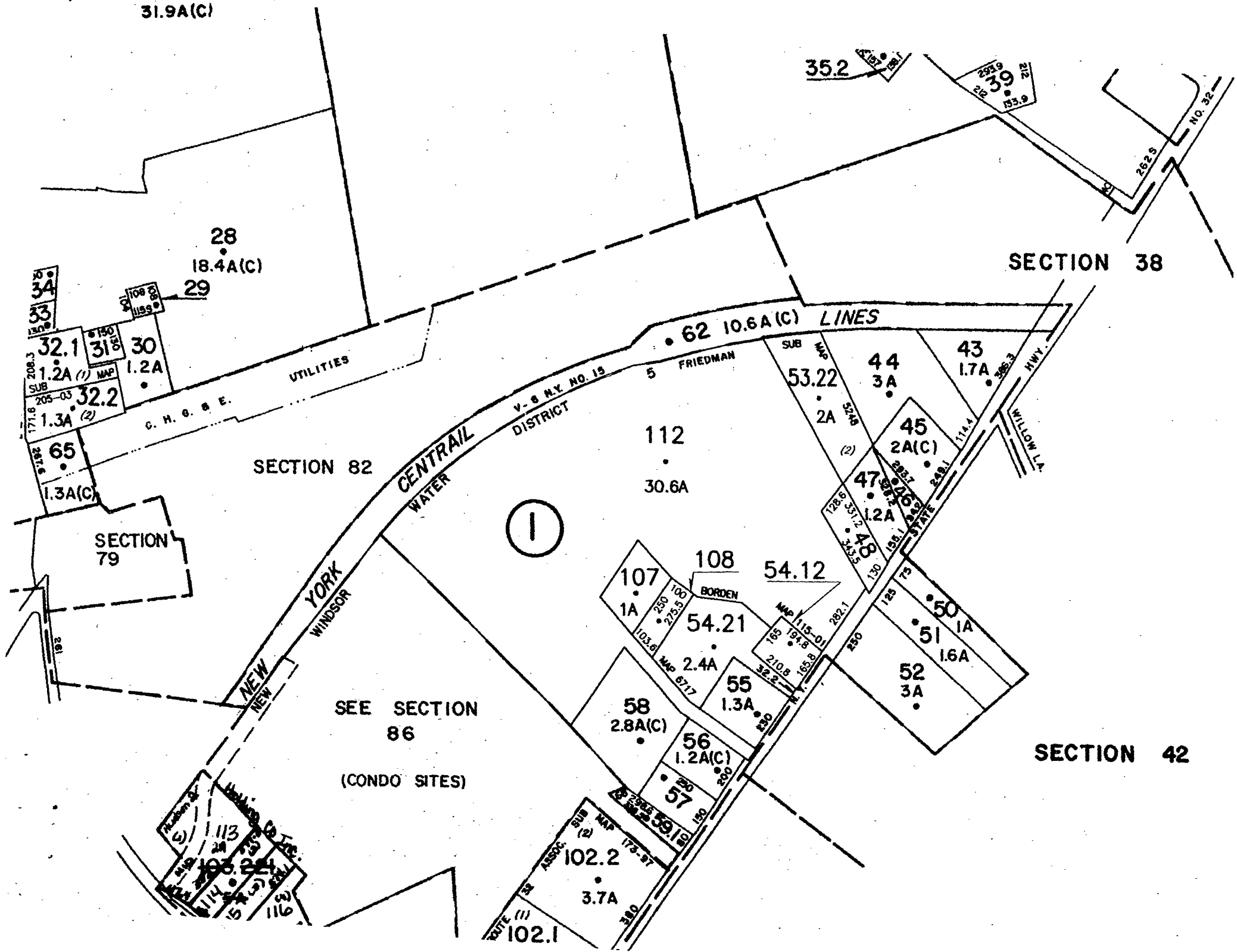
 Don't get stung  
Shop at the  
Carpet Mill Outlet

"Our Prices will floor you"

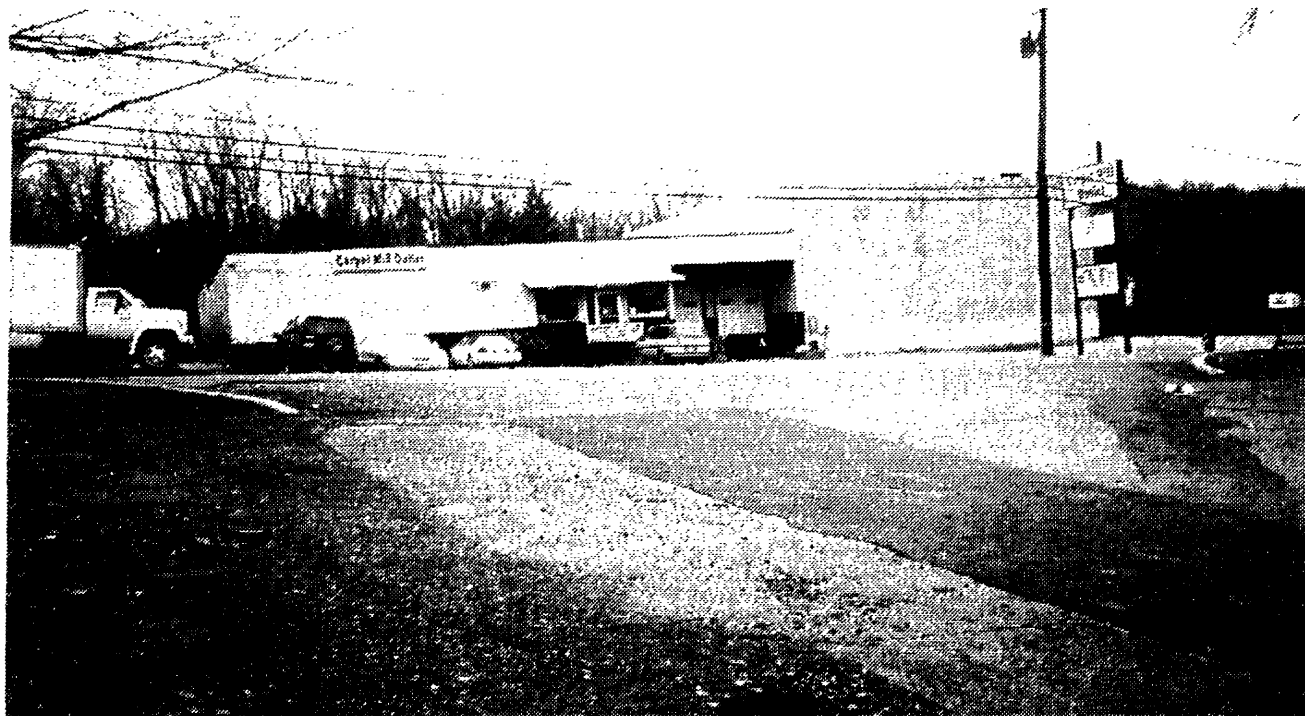


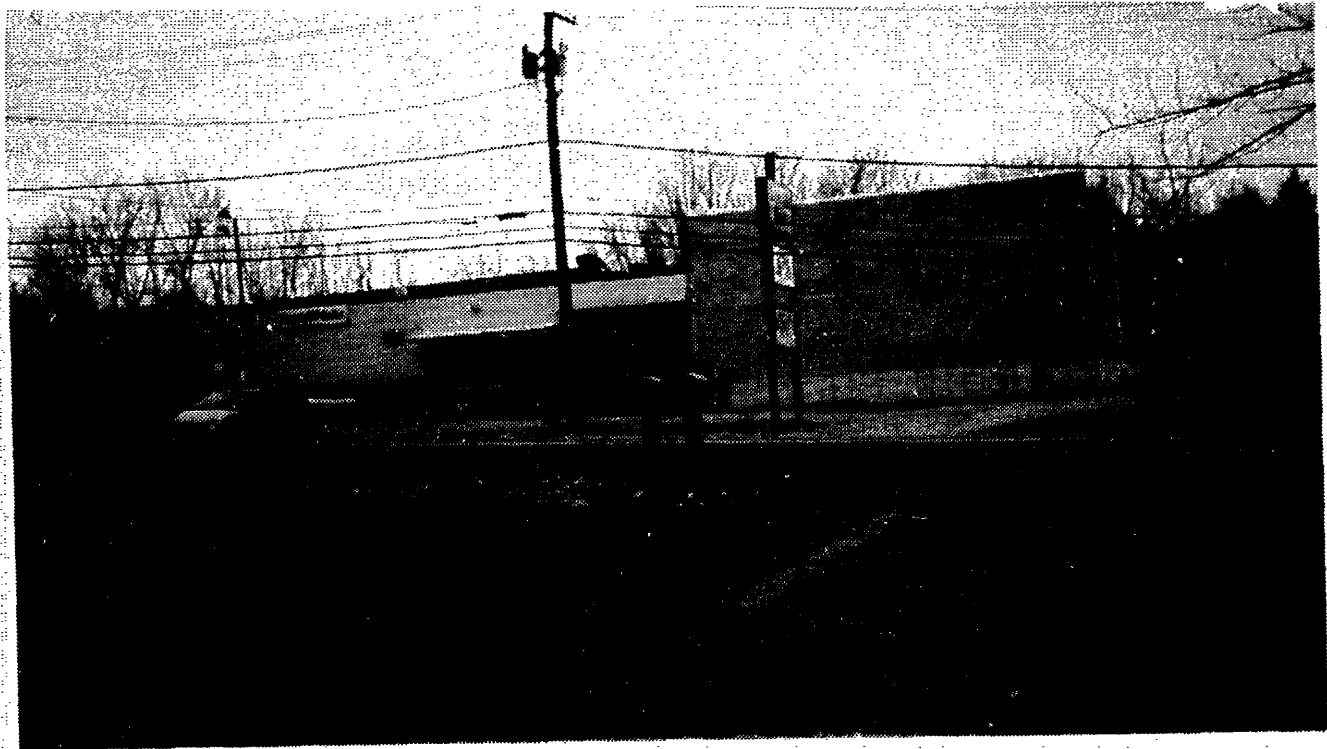
Thousands of rolls in stock  
From all major Mills

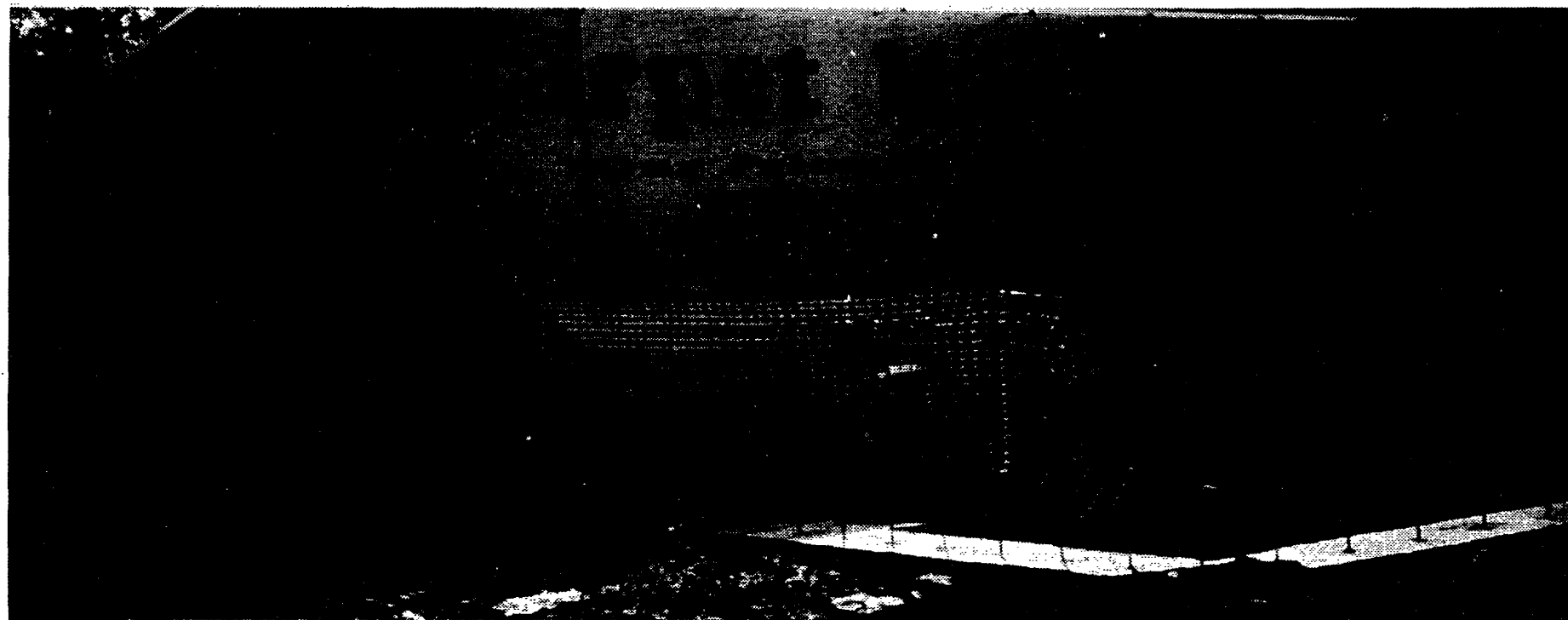
1 = 100  
31.9A(C)

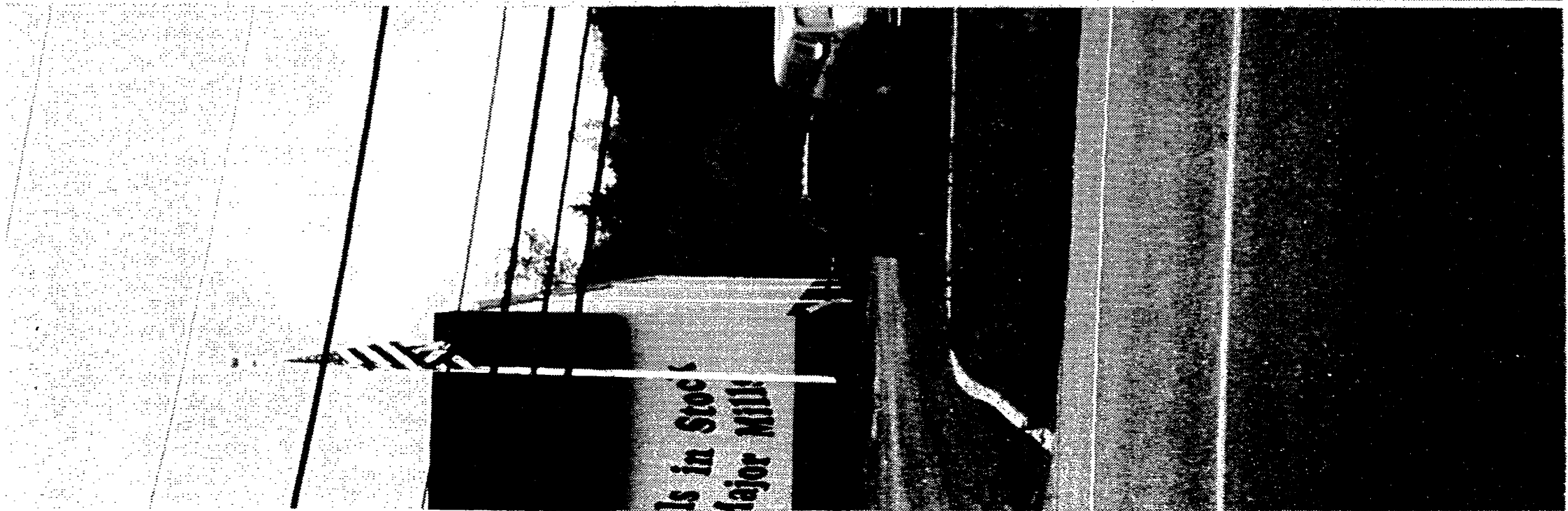












NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 35-1-54.12

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

SEYMOUR BORDEN (CARPET MILL OUTLET)

AREA

CASE #04-18

**WHEREAS, Seymour Borden**, owner(s) of 294 Windsor Highway, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for Sign

Variances: 38 sq. ft. Freestanding

12 ft. Height

TOTAL ALL SIGNS: 6 ft. 6 in. X 32 ft. 6 in. (48-18 USE A1)

All at 294 Windsor Highway in a C Zone (35-1-54.12)

**WHEREAS**, a public hearing was held on April 26, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a commercial property located in a neighborhood of commercial properties on a busy state highway.
  - (b) The sign does not appear to be any higher nor bigger than signs on the neighboring businesses.

- (c) A letter was received by the Board objecting to the variance, but, there was no personal appearance by any objectors.
- (d) This sign has been in existence for many years but, had to be relocated.
- (e) The sign is illuminated by outside illumination which is steady, not flashing and no neon is used.
- (f) The façade sign is painted on the side of the building and is existing.
- (g) No complaints about the signs, neither formal or informal, have been received.
- (h) The sign will not interfere with the operation with motor vehicles on the adjacent highway.

**WHEREAS**, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested sign variance(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for Sign Variances: 38 sq. ft. Freestanding

12 ft. Height

TOTAL ALL SIGNS: 6 ft. 6 in. X 32 ft. 6 in. (48-18 USE A1)

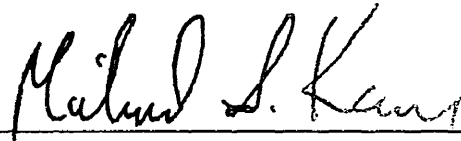
All at 294 Windsor Highway in a C Zone (35-1-54.12)

as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: April 26, 2004

A handwritten signature in black ink, appearing to read "Michael S. Kaur", is written over a horizontal line.

Chairman



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

August 10, 2004

Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #04-18**

Dear Mr. Borden:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JUNE 28, 2004**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 380.50 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-18**

**NAME & ADDRESS:**

**Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.6-28-04**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #04-18      TYPE: AREA

APPLICANT Name & Address:

**Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553**

TELEPHONE:    562-0234

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>573</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            COMMERCIAL \$500.00            CHECK # 574

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br>\$5.50 / PAGE | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|---------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES | \$ <u>16.50</u>                 | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ___ PAGES      | \$ _____                        | \$ _____                      |
| PUBLIC HEARING:              | <u>6</u> PAGES | \$ <u>33.00</u>                 | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ___ PAGES      | \$ _____                        | \$ _____                      |

TOTAL:            \$ 49.50            \$ 70.00

~~~~~

ESCROW POSTED:            \$ 500.00  
LESS: DISBURSEMENTS:    \$ 119.50

AMOUNT DUE:            \$ \_\_\_\_\_

REFUND DUE:            \$ 380.50

Cc:



RESULTS OF Z.B.A. MEETING OF:

April 26, 2004

PROJECT: Carpet Mill Outlet

ZBA # 04-18  
P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

NEGATIVE DEC: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

PUBLIC HEARING: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

APPROVED: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) S) VOTE: A N  
RIVERA  
MCDONALD  
REIS CARRIED: Y N  
MINUTA  
KANE

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED:

M) M S) M VOTE: A 3 N 0.

~~RIVERA~~  
MC DONALD  
REIS  
MINUTA  
~~KANE~~

CARRIED: Y ✓ N

*Sign is lit internally and does not flash*

*Leone Properties, LLC*  
*PO Box 141*  
*Central Valley, NY 10917*  
*845-928-2106*  
*Fax: 845-928-6721*

April 19, 2004

Michael Kane, Chairman  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY

Reference: Public Hearing for Seymour Borden (Carpet Mill Outlet)  
Section: 35 Block: 1 Lot: 54.12

Dear Mr. Kane,

I am writing in reference to the notice I received for the public hearing to be held on April 26, 2004. Unfortunately, I am unable to attend the meeting but wanted to voice my opinion to the board. I am enclosing a copy of my letter dated March 30, 2004 in which I objected to the larger sign for the reasons stated in the letter. My position remains the same, I strongly object to the larger sign. As I stated in my first letter there are laws and regulations that need to be followed for everyone's benefit.

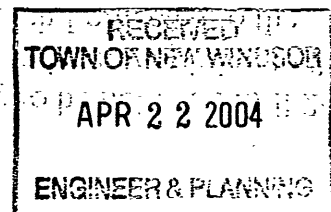
Again, my apologies to the board that I am unable to attend the meeting, but I would like you to consider my position as a building owner in the town.

Thank you for your time and consideration.

Sincerely,



Raffaele Leone



*Leone Properties, LLC*  
*PO Box 141*  
*Central Valley, NY 10917*  
*845-928-2106*  
*Fax: 845-928-6721*

March 30, 2004

Michael Kane, Chairman  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY

Reference: Public Hearing for Seymour Borden (Carpet Mill Outlet)  
Section: 35 Block: 1 Lot: 54.12

Dear Mr. Kane,

I am writing in reference to the notice I received for the public hearing to be held on April 12, 2004. Unfortunately, I am unable to attend the meeting but wanted to voice my opinion to the board.

I am against the variance for a larger sign. The town has certain laws and regulations and those laws and regulations must be obeyed. When I was in the process of completing my sign, I observed the laws and regulations of the town and all other building owners should be kept to that same standard. When they applied for a variance to make a larger building, I did not object even though the building color is an eye sore to the beauty of Route 32. I strongly object to allowing a larger sign.

I would also like to take the time to address the building which is next to me. They have added on to their original sign a number of times and it is now obstructing the view of my sign. This is just another example of what happens when laws and regulations are not properly followed. There is a reason for laws and regulations that everyone benefits from.

Again, my apologies to the board that I am unable to attend the meeting, but I would like you to consider my position as a building owner in the town.

Thank you for your time and consideration.

Sincerely,



Raffaele Leone

SEYMOUR BORDEN (CARPET MILL OUTLET) (04-18)

MR. REIS: Request for sign variances: 38 sq. ft. freestanding, 12 ft. height all at 294 Windsor Highway in a C zone.

Mr. Seymour Borden appeared before the board for this proposal.

MR. MINUTA: Mr. Chairman, I'd like to disclose I'm familiar with the applicant but in no way for or against this application. I have no financial interest.

MR. REIS: Thank you. Mr. Borden, you want to share your thoughts here?

MR. BORDEN: We have been through this a couple weeks ago.

MR. REIS: Just repeat it just for the record, please.

MR. BORDEN: I've got everything looking beautifully, I think.

MR. KRIEGER: So this freestanding sign is in existence now?

MR. BORDEN: Yes.

MR. KRIEGER: But it's not any higher than neighboring signs?

MR. BORDEN: That's right, no higher than the neighbors' signs.

MR. KRIEGER: Doesn't appear to be any bigger.

MR. BORDEN: No, it's not.

MR. MINUTA: Not obstructing the view from any entrances?

MR. BORDEN: Nobody.

MR. REIS: Myra, can you tell us how many letters?

MS. MASON: On the 13th of April, I mailed out 21 addressed envelopes and had one response.

MR. REIS: I have the response I'd like to read it for the record, please. "Dear Mr. Kane, Chairman of the ZBA: I'm writing in reference to the notice I received for the public hearing. Unfortunately, I'm unable to attend the meeting but wanted to voice my opinion to the board. I am enclosing a copy of my letter dated March 30, '04 to which I objected to the largest signs for the reasons stated in the letter. My position remains the same I strongly object to the larger sign as I stated in my first letter. There are laws and regulations that need to be followed for everyone's benefit. Again, my apologies to the board that I am unable to attend the meeting but I would like you to consider my position as a building owner in the Town. Thank you for your time and consideration. Ralph Leone."

MR. BABCOCK: Is he a neighbor?

MR. BORDEN: I never heard of him. What's his name?

MR. REIS: Ralph Leone.

MR. BABCOCK: He owns the building across the street that's got the state with the vans.

MR. REIS: That was for the record.

MR. MC DONALD: This sign that we're talking about is the one that's been there for quite some time, right?

MR. BORDEN: Yes.

MR. BABCOCK: This sign has been in existence for many, many years and what happened they discovered that the sign was partially on the neighbor's to the south property so it was located so that it was completely in a hundred percent on the Carpet Mill Outlet property.

MR. MC DONALD: Wasn't there something that on the southern end of that, right?

MR. BORDEN: Yes, it was brought to a lower area.

MR. MC DONALD: So this sign that's existing this freestanding sign has no, it's not, there's no illumination on it?

MR. BORDEN: It lights up at dark and goes off at 12 or 11 o'clock.

MR. KRIEGER: Lit internally?

MR. BORDEN: Internally, no, outside I do have one outside light that lights up the flag.

MR. KRIEGER: But that has nothing to do with the sign?

MR. BORDEN: No, it's attached to the sign but just a spotlight aiming at the flag.

MR. KRIEGER: This illumination is steady illumination?

MR. BORDEN: Steady, no flickering.

MR. KRIEGER: Doesn't, it's static, doesn't move, no flash, doesn't move?

MR. BORDEN: No.



MR. BORDEN: It looks better in color.

MR. REIS: For the record, we'll open it up to the public. Anybody here? We'll close the public hearing. You haven't had any other complaints from your neighbors over the years except for this one letter?

MR. BORDEN: Nobody.

MR. MINUTA: Just a clarification, we actually have two variances that we're looking for here, one for the freestanding, one for the wall sign?

MR. BABCOCK: Yes.

MR. MC DONALD: This is going to be painted on this side of the building?

MR. BABCOCK: It's existing.

MR. BABCOCK: The signs are all existing on his building and he has no reason to put anymore up, right?

MR. BORDEN: Right.

MR. REIS: Any other questions, gentlemen?

MR. KRIEGER: How does this vary from what's allowed?

MR. BABCOCK: As far as the freestanding sign he's allowed 64 square feet, he's proposing 102 so he's asking a variance of 38. The height of the existing sign is 27 feet, he's allowed 15 so he's asking a variance of 12 and then the--

MR. BORDEN: Could I interrupt for one minute? The sign although it's taller is now on a lower grade, okay, so it's actually shorter?

MR. BABCOCK: Than what it was before.

MR. MINUTA: But that's actually measured from the height of the road adjacent to it.

MR. BORDEN: Yeah, at that particular point the road goes down though.

MR. MINUTA: Fair enough.

MR. KRIEGER: He's just talking about what's required and what you cite as a reason why a variance should be considered.

MR. REIS: For the record, is there anything you could do to your existing sign to bring it within zoning without a tremendous--

MR. BORDEN: It's a very expensive sign to begin with so it's very, very expensive.

MR. KRIEGER: You'd have to take it down and build a brand new one.

MR. BORDEN: Right.

MR. MC DONALD: Doesn't obstruct any vision cause you're high enough.

MR. BORDEN: The only people who can't see it there's a billboard south of me and it prevents people from seeing it until they get just up to me.

MR. KRIEGER: But it doesn't interfere with motorists?

MR. BORDEN: No, not at all.

MR. MC DONALD: No questions.

MR. REIS: Accept a motion.

April 26, 2004

44

MR. MINUTA: Mr. Chairman, I move that we grant Seymoure Borden his request for sign variances at 294 Windsor Highway in a C zone both for the 38 square foot freestanding and 12 foot height variance.

MR. MC DONALD: Second it.

ROLL CALL

MR. REIS	AYE
MR. MC DONALD	AYE
MR. MINUTA	AYE

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

SEYMOUR BORDEN (CARPET MILL OUTLET)

AFFIDAVIT OF  
SERVICE  
BY MAIL

#04-18

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 13TH day of APRIL, 2004, I compared the 21 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

*Myra L. Mason*

Myra L. Mason, Secretary

13<sup>th</sup> day of April, 2004

*J. P. Gallagher*  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

**Appeal No. 04-18**

**Request of SEYMOUR BORDEN (CARPET MILL OUTLET)**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Sign Variances:**

**38 sq. ft. Freestanding**

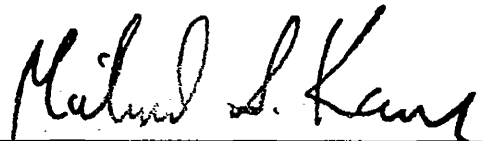
**12 ft. Height**

**TOTAL ALL SIGNS: 6 ft. 6 in. X 32 ft. 6 in. (48-18 USE A1)**

**for property located at: 294 WINDSOR HIGHWAY IN A C ZONE**

**known and designated as tax map Section 35 Block 1 Lot 54.12**

**PUBLIC HEARING will take place on APRIL 26, 2004 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.**



**Michael Kane, Chairman**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

SEYMOUR BORDEN (CARPET MILL OUTLET)

AFFIDAVIT OF  
SERVICE  
BY MAIL

#04-18

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 26TH day of **MARCH**, 2004, I compared the 21 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

*Myra L. Mason*

Myra L. Mason, Secretary

5<sup>th</sup> day of April, 2004

*J. P. Mead (Gallagher)*  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

**Appeal No. 04-18**

**Request of SEYMOUR BORDEN (CARPET MILL OUTLET)**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Sign Variances:**

**38 sq. ft. Freestanding**

**12 ft. Height**

**TOTAL ALL SIGNS: 6 ft. 6 in. X 32 ft. 6 in. (48-18 USE A1)**

**for property located at: 294 WINDSOR HIGHWAY IN A C ZONE**

**known and designated as tax map Section 35 Block 1 Lot 54.12**

**PUBLIC HEARING will take place on APRIL 12<sup>TH</sup>, 2004 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.**

  
**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

March 25, 2004

Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553

Re: 35-1-54.12

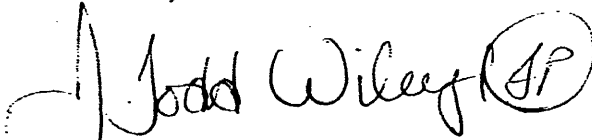
Dear Mr. Borden:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$ 45.00, minus your deposit of \$25.00.

Please remit the balance of \$ 20.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wile, IAO  
Sole Assessor

JTW/tmp  
Attachments

~~CC: Map, Map, Planning Board~~



35-1-47  
Clara & Francis Lander  
Ronald Lander & Phyllis Silver  
12 Cimorelli Drive  
New Windsor, NY 12553

35-1-51  
Agnes Cavalari  
89 Bethlehem Road  
New Windsor, NY 12553

35-1-55  
U-Haul International, Inc.  
Property Tax Department  
P.O. Box 29046  
Phoenix, AZ 85038

35-1-107 & 35-1-108  
Windsor Highway Realty Corp.  
176 New Windsor Highway  
North Amityville, NY 11701

42-1-1.21  
Sabatino & Jennie Martinisi  
273 Windsor Highway  
New Windsor, NY 12553

42-1-3  
Christopher & Laurie Orr  
10 Willow Lane  
New Windsor, NY 12553

42-1-14  
KLJ Corp.  
P.O. Box 4520  
New Windsor, NY 12553

35-1-48  
In Kee & Song Hui Hong  
P.O. Box 914  
Woodridge, NY 12789

35-1-52  
Scott Rollo & Lisa Promavera-Rollo  
287 Windsor Highway  
New Windsor, NY 12553

35-1-56  
Aniello & Maria Guerriero  
306 Winsdor Highway  
New Windsor, NY 12553

35-1-112  
Cox Holdings, LLC  
7 Apta Way Unit 101  
Monroe, NY 10950

42-1-1.22  
Richard C Harris  
275 Windsor Highway  
New Windsor, NY 12553

42-1-4  
Herman & Sally Ingram  
12 Willow Lane  
New Windsor, NY 12553

42-1-15  
Model Makers Museum, LLC  
297 Windsor Highway  
New Windsor, NY 12553

35-1-50  
Stephen & Faith Kuprych  
279 Windsor Highway  
New Windsor, NY 12553

35-1-54.21  
Poly Works, Inc.  
P.O. Box 4417  
New Windsor, NY 12553

35-1-58  
Aliya, Inc.  
115 Corporate Drive  
New Windsor, NY 12553

42-1-1.1  
Carlos S Scheer  
4717 Blue Water Lane  
Myrtle Beach, SC 29579

42-1-2  
Garrison & Bertha Karpoff  
8 Willow Lane  
New Windsor, NY 12553

42-1-13  
HZ Realty, Inc.  
293 Windsor Highway  
New Windsor, NY 12553

45-1-22  
Leone Properties, LLC  
348 Route 32  
P.O. Box 141  
Central Valley, NY 10917

*Seymour,  
your public hearing  
will be 4/26/04*





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

April 13, 2004

Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-18

Dear Mr. Borden:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

294 Windsor Highway  
New Windsor, NY

is scheduled for the April 26, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

SEYMOUR BORDEN (CARPET MILL OUTLET) #04-18

Mr. Seymour Borden appeared before the board for this proposal.

MR. KANE: Request for sign variances, 38 sq. ft. freestanding, 12 ft. height total all signs all at 294 Windsor Highway in a C zone. Tell us what you'd like to do.

MR. BORDEN: I'd like to leave everything like it is.

MR. KANE: What we're doing is cleaning up all the old signs that have been existing there. Are they illuminated in any way?

MR. BORDEN: I have a scanning sign, yes.

MR. KANE: Flashing illumination or just steady.

MR. BORDEN: Goes on at dark and goes off at 12 o'clock.

MR. KANE: How long have the signs been up?

MR. BORDEN: 1964 sign.

MR. KANE: Do his signs predate zoning?

MR. BABCOCK: There's a little catch to that. The freestanding sign there was a, maybe you could explain it a little better, a little dispute in the property line.

MR. BORDEN: I was on my neighbor's property, he raised hell, I moved it, I had to move it to a lower elevation, therefore, I made the sign a little bit higher, it's no higher than it was before but the elevation brought it up.

MR. BABCOCK: Now, since it's relocated and he's coming here for the wall signs, we want to straighten this out, it's been there, it's fine, it's been relocated, we don't want him to have any problems saying it wasn't the existing sign because it was relocated five inches.

MR. KANE: I know the area very well, the sign itself is similar to other signs in your neighborhood?

MR. BORDEN: Yes.

MR. KANE: In size and appearance?

MR. BORDEN: Yes.

MR. REIS: What brings you to the board?

MR. BORDEN: I got a violation notice.

MR. KANE: Mike's raising money? Any complaints formally or informally except for your neighbor?

MR. BORDEN: No, nobody complained about my signs except the neighbor said it was on his property by five inches.

MR. KANE: Any questions?

MR. RIVERA: No.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we set up Mr. Seymour Borden for his requested variance at 294 Windsor Highway.

MR. MINUTA: Second it.

March 22, 2004

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ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#240-2004**

03/10/2004

Borden, Terri E.  
84 Sycamore Drive  
Middletown, NY 10940

Received \$ 150.00 for Zoning Board Fees, on 03/10/2004. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 03-04-04

FOR: ESCROW 04-18

FROM: SEYMOUR BORDEN (CARPET MILL OUTLET)

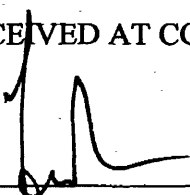
84 SYCAMORE DRIVE

MIDDLETOWN, NY 10940

CHECK NUMBER: 574

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

3/10/04  
\_\_\_\_\_  
DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

March 26, 2004

Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-18

Dear Mr. Borden:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

CARPET MILL OUTLET  
New Windsor, NY

is scheduled for the April 12<sup>th</sup>, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF: March 22, 2004

PROJECT: Seymour Borden (Carpet Mill Outlet) ZBA # 04-18  
P.B.#

**USE VARIANCE:      NEED: EAF      PROXY**

**LEAD AGENCY:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

**KANE**

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:**

M) Rs S) MN

VOTE: A 4 NO

CARRIED: Y ☒ N

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M)      S)      VOTE: A      N     .

**CARRIED: Y\_\_\_\_\_N\_\_\_\_\_.**

[illegible]


50-7209/2219 00 573

**TERRI E. BORDEN**  
**SEYMOUR BORDEN**  
 84 SYCAMORE DRIVE  
 MIDDLETOWN, NY 10940

Date 11/12/04

Pay to the Order of "Town of New Windsor" \$ 150<sup>00</sup>/<sub>100</sub>

One hundred fifty Dollars

 **First Federal Savings**  
 of Middletown  
 22 James Street, Middletown, NY 10940

MONEY MARKET PLUS

For Terri E. Borden MP

⑆221972098⑆ 92 023001⑆ 0573


50-7209/2219 00 572

**TERRI E. BORDEN**  
**SEYMOUR BORDEN**  
 84 SYCAMORE DRIVE  
 MIDDLETOWN, NY 10940

Date 11/12/04

Pay to the Order of "Town of New Windsor" \$ 25<sup>00</sup>/<sub>100</sub>

Twenty-five Dollars

 **First Federal Savings**  
 of Middletown  
 22 James Street, Middletown, NY 10940

MONEY MARKET PLUS

For Terri MP

⑆221972098⑆ 92 023001⑆ 0572


50-7209/2219 00 574

**TERRI E. BORDEN**  
**SEYMOUR BORDEN**  
 84 SYCAMORE DRIVE  
 MIDDLETOWN, NY 10940

Date 11/12/04

Pay to the Order of "Town of New Windsor" \$ 500<sup>00</sup>/<sub>100</sub>

Five hundred Dollars

 **First Federal Savings**  
 of Middletown  
 22 James Street, Middletown, NY 10940

MONEY MARKET PLUS

For Terri E. Borden MP

⑆221972098⑆ 92 023001⑆ 0574



# **Town of New Windsor**

**555 Union Avenue**  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## **ZONING BOARD OF APPEALS**

March 4, 2004

Seymour Borden  
294 Windsor Highway  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #04-18**

Dear Mr. Borden:

This letter is to inform you that you have been placed on the March 22, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

294 Windsor Highway  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

3/22



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".**

\*

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**✦ ✦ MUST READ AND SIGN ✦ ✦**

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).***

SIGNATURE

DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST - ONE MEETING PER MONTH ONLY)

**04-18**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

2-16-04      Application Type: Use Variance ☒ Area Variance ☐  
Date      Sign Variance ☐ Interpretation ☐

I. **Owner Information:**      Phone Number: (845) 562-0234  
SEYMOUR BORDEN      Fax Number: (845) 562-0293  
(Name)  
294 WINDSOR Highway New Windsor ny 12553  
(Address)

II. **If Moving to New Address, please list forwarding address for return of escrow:**  
\_\_\_\_\_  
(Name)      Phone Number: ( )  
\_\_\_\_\_  
Fax Number: ( )  
\_\_\_\_\_  
(Address)

III. **Attorney:**      Phone Number: ( )  
\_\_\_\_\_  
Fax Number: ( )  
(Name)  
\_\_\_\_\_  
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:**      Phone Number ( )  
\_\_\_\_\_  
Fax Number: ( )  
(Name)  
\_\_\_\_\_  
(Address)

V. **Property Information:**

Zone: C      Property Address in Question: 294 WINDSOR Highway New Windsor ny  
Lot Size: 166 x 211      Tax Map Number: Section 35 Block 1 Lot 54.12  
a. What other zones lie within 500 feet? None  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? 1984  
d. Has property been subdivided previously? No      If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? yes  
f. Is there any outside storage at the property now or is any proposed? No

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**04-18**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The reason for the signage on the face of the  
building is that, coming from the north, there is a large billboard that prevents  
motorists from seeing our building. Coming from the south, there is a much  
higher elevation (U-Haul) that again prevents motorists from seeing us. As to  
the height of my electric sign, it was moved from a high point on the northern  
edge of my parking lot (its been there since 1964) to a much lower part of the  
parking lot. Therefore, what appears to be higher actually is not. In view of  
my "big box" competition (Lowes, Home Depot, etc.) which are around the corner in  
"Newburgh", I have to make my presence known in order to survive!

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**OWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**X. SIGN VARIANCE:**

- (a) Variance requested from New Windsor Zoning Local Law,  
Section 35, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

The reason for the signage on the face of the building is that, coming from the north, there is a large billboard that prevents motorists from seeing our building. Coming from the south, there is a much higher elevation (U-Haul) that again prevents motorists from seeing us. As to the height of my electric sign, it was moved from a high point on the northern edge of my parking lot (its been there since 1964) to a much lower part of the parking lot. Therefore, what appears to be higher actually is not. In view of my "big box" competition (Lowes, Home Depot, etc.) which are around the corner in "Newburgh", I have to make my presence known in order to survive!

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs \_\_\_\_\_?

**XI. INTERPRETATION:**

- (a) Interpretation requested of New Windsor Zoning Local Law,  
Section \_\_\_\_\_
- (b) Describe in detail the proposal before the Board:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE NOTE:**

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**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
  - ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
  - ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
  - ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

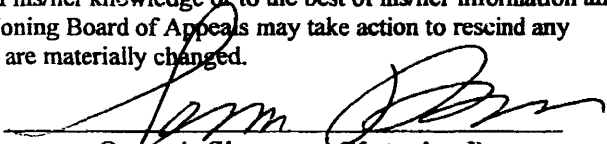
) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

19 day of February 2004.

  
Owner's Signature (Notarized)

\_\_\_\_\_  
Owner's Name (Please Print)

  
Signature and Stamp of Notary

LORIE SCHMIDLIN  
No. 01SC5069117  
Notary Public, State of New York  
Qualified in Orange County  
My Commission Expires 11/12/2006

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

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